

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND

IN RE: KEVIN JOVIN Chapter 7  
LORI ANN JOVIN BK No. 13-12094  
  
DEBTORS

**CHAPTER 7 TRUSTEE'S OBJECTION TO DEBTORS'  
EXEMPTIONS AND MEMORANDUM IN SUPPORT THEREOF**

Charles A. Pisaturo, Jr., the chapter 7 trustee in the above captioned case, hereby objects to the debtors' exemptions. In support hereof, the trustee states as follows:

1. The debtors filed a chapter bankruptcy petition on August 6, 2013. Thereafter, this Court appointed the undersigned as chapter 7 trustee.
2. The trustee convened and held a creditors' meeting on September 3, 2013.
3. The debtors' petition - Schedule B - discloses a personal injury claim described as a claim for damages from a car accident with an "unknown" value. The debtors testified at the creditors' meeting that only Mrs. Jovin sustained injuries in the car accident. The trustee believes that the claim belongs only to Mrs. Jovin. The trustee has made attempts to reach the debtor's attorney handling the personal injury matter and awaits a response. The debtors claim an exemption of \$14,777 in the personal injury under 11 U.S.C. §522(d)(5).
4. On information and belief, Mrs. Jovin's available remaining, unused exemption under Bankruptcy Code 11 U.S.C. §522(d)(5) is \$7,591. Mr. Jovin cannot claim an exemption in an asset he does not own.

WHEREFORE, the trustee requests that Mrs. Jovin's exemption claim under 11 U.S.C. §522(d)(5) in the personal injury claim be reduced to \$7,591 and Mr. Jovin's claim of exemption in the claim be denied, and for such other and further relief as is just.

In Re: Kevin & Lori Ann Jovin

Chapter 7

13-12094

CHAPTER 7 TRUSTEE'S OBJECTION TO DEBTORS' EXEMPTIONS AND MEMORANDUM IN SUPPORT THEREOF

September 30, 2013

/s/Charles A. Pisaturo, Jr.

CHARLES A. PISATURO, JR. (REG. NO. 4615)

Trustee

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**NOTICE**

Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if served by mail, any party against whom such paper has been served, or any other party who objects to the relief sought, shall serve and file an objection or other appropriate response to said paper with the Bankruptcy Court Clerk's Office, 380 Westminster Street, 6th Floor, Providence, RI 02903, (401) 626-3100. If no objection or other response is timely filed, the paper will be deemed unopposed and will be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 30<sup>th</sup> day of September, 2013, I served via electronic filing (ECF), a true copy of the within CHAPTER 7 TRUSTEE'S OBJECTION TO DEBTORS' EXEMPTIONS to the following parties: Gary L. Donahue, Esq., Assistant U.S. Trustee, Christopher Lefebvre, Esq.:

/s/Jennifer Peters

Jennifer Peters

Law Offices of Charles A. Pisaturo, Jr.

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